

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Independent claims 15 and 30 have been extensively amended so as to define over the prior art. With reference to the claim amendments, Applicant would like to again explain the steps of inserting the device of the present invention with reference to the attached drawings. Drawing 1 shows the two elements 5 and the bone segment 15. Drawing 2 shows the next step of forming holes in both the bone parts and segment. Drawing 3 shows the guide element inserted into the holes of the bone segment and two elements. Drawing 4 shows the locking element inserted through one of the bone segments and into a guide slot. The locking element has a threaded opening which is arranged within the guide slot. Drawing 5 shows the inserted rod 13 together with the drive element 10 in the guide element 1 and through the threaded opening in the locking element. The locking element can now travel along the length of the threaded rod 13. This arrangement allows the travel of the locking element along the whole length between both bone parts 5. This constitutes the difference between the present invention and the cited reference. The locking element in the reference stops at the beginning of the threaded rod. In the present invention, the locking element moves along the entire length of the rod.

In considering Applicant's previous amendment, the Examiner has argued that the claims as previously submitted were not commensurate with Applicant's arguments. That is, the claims did not recite moving two locking elements on one spindle in opposite directions. In response to this argument, Applicant has amended independent claim 30 to set forth that the locking elements sit on the spindle and are driven in opposite directions from one another in a guide slot of the guide

element. Independent claim 15 has likewise been amended to include the limitation that the locking elements travel along the length of the threaded rod in opposite directions. In addition, claim 15 has been amended so as to set forth with specificity the arrangement of the guide element in the holes of the two elements and bone segment and that the locking element is inserted into a bone segment and engages a guide slot in the guide element to allow for the movement of the locking elements in opposite directions. It is respectfully submitted that both independent claims 15 and 30 as now presented patentably define over the cited and applied references and the early issuance of a notice of allowance is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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